

**OFFICIAL**

Attorney Docket No. 5190

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE** **RECEIVED**  
**CENTRAL FAX CENTER**

<b>FIRST NAMED INVENTOR:</b>	<b>SERIAL NO:</b>	<b>FILING DATE</b>	<b>ART UNIT:</b>	<b>CONF. NO.</b>
Hildegard M. Kramer	10/075,355	Feb. 14, 2002	1633	8887
<b>TITLE:</b>			<b>EXAMINER:</b>	
Biocompatible Fleece For Hemostasis and Tissue Engineering			Not Yet Assigned	

APR 06 2004

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify under 37 CFR 1.8(a) that this correspondence (2 pages) is being transmitted by facsimile to 703-872-9306, TC 1600 addressed to: Commissioner for Patents, P.O Box 1450, Alexandria, VA 22313-1450, on April 6, 2004.



Name: Carol S. Celata

Commissioner for Patents  
PO. Box 1450  
Alexandria, VA 22313-1450

**REPLY WITH ELECTION TO  
RESTRICTION REQUIREMENT**

Sir:

In response to the Office Action mailed from the Patent Office on March 26, 2004, applicant submits the following reply with election. Because this reply is submitted within 1 months of the mailing of the Office Action, applicant believes that no fee is due for this submission. Favorable reconsideration of the pending claims is respectfully requested in view of the following amendment and remarks:

Remarks..... Page 2

Reply with Election  
U.S.S.N. 10/075,355  
Page 2 of 2

### REMARKS

#### Election:

The claims have been restricted into four groups as follows:

- I. Claims 1-12, 15, and 16 to a method of making a fleece
- II. Claims 14, 17-20, 22, 24-36, and 48-50 to a fleece made by the method of Group I
- III. Claims 21, 23, and 50 to the fleece with cells and its uses
- IV. Claims 37-47, 52, and 53 to a method of treatment of a wound

Applicant hereby elects the claims of group I, with traverse.

Applicant notes that the office action provides rationale for restriction of groups I and II, but seems in fact to refer to claims categories of groups II and III (species of the fleece). Similarly, it provides rationale for restriction of groups I, II, and III when in fact it refers to categories of groups II (product), III (product), and IV (process of use). Applicant thus notes that the Office action failed to provide rationale for restricting the methods of making the fleece (group I) from the products made by the method (groups II and III), and for the methods of making the fleece (group I) from the methods of treatment (group IV).

Thus, Applicant also elects the species of group II, should the claims of group I be found allowable, Applicants believe it is entitled to examination of group II as well, as examiner has not presented any rationale by which the product as defined by product-by-process claims could be made by a different process. Accordingly, Applicants ask for the rejoinder of group I and II, should the claims of group I be found allowable.

Respectfully submitted,

Date: April 6, 2004

Genzyme Corporation  
500 Kendall Street  
Cambridge, MA 02142  
Tel. No.: (617) 768-6698  
Fax No.: (617) 252-7553  
isabelle.blundell@genzyme.com



Isabelle A. S. Blundell, Ph.D.  
Attorney for the Applicants  
Reg. No. 43,321

BLUNDELL\5190-Reply-RR.doc